

### **REMARKS**

This case has been carefully reviewed and analyzed in view of the Office Action dated April 2, 2008. Please reconsider the application in view of the above amendments and following remarks.

By this Amendment, claims 13 and 34-36 remain in this application. Claims 1-12, 14-30 and 32-33 have been canceled. Claim 31 have been withdrawn.

### **Claim Rejections- 35 U.S.C. § 112**

In Claims 13 and 35, the unclear phases "disposed corresponding to axis of" and "disposed corresponding to" have been deleted from the claims. Applicant respectfully submits that claims 13 and 35 now even more fully satisfy the requirement of the second paragraph of 35 U.S.C. § 112. Accordingly, favorable reconsideration and withdrawal of the rejection are respectfully requested.

### **Claim for Priority**

By this Amendment, all of the features defined in the current claims 13 and 34-36 can be fully supported by the disclosure of the provisional Application No. 60/443,331 filed on January 29, 2003 (hereinafter referred to as the '331 Provisional Application). Applicant therefore submits that all the claims shall be entitled to the benefit of the filing date of the '331 Provisional Application. Hence, the primary relied on reference, as

disclosed by Loughlin Patent Publication No. 2004/0226324 (hereinafter referred to as the '324 Loughlin Patent) should no longer be considered. The provisional application 60/470,999 which the '324 Loughlin Patent relies upon was filed on May 16, 2003 which postdates the priority date of the '331 Provisional Application from which the current application claims priority under 35 U.S.C. § 119 (e).

### **Claim Rejections- 35 U.S.C. § 102**

Claim 35 stands rejected under 35 U.S.C. § 102(e) as being anticipated by Taylor et al. ('256). This rejection is respectfully traversed.

Referring to FIGS. 13-17 of the present application, claim 35 has now been amended to include a lock body 1b, a shackle 2b, a block 3b, a linking member (51b, 53; FIG. 15) and a locking means 5b. The shackle 2b has a longer arm 20b and a shorter arm 21b being rotatable about the longer arm 20b. The block 3b includes a mounting portion 30b movably disposed inside the lock body 1b and an engaging portion (33; FIG. 15) disposed outside the lock body 1b. The engaging portion is configured to control movement of the shorter arm 21b of the shackle 2b and is movable in response to the movement of the mounting portion 30b. The locking means 5b includes a core and a stem (51b; FIG. 14). As best seen in FIG. 14, the core, for example, includes three numeral wheels and

other related parts so as to control movement of the stem 51b. The linking member is connected at one end to the stem 51b of the locking means 5b and at the other end to the mounting portion 30b of the block 3b in such a way that the locking means 5b is able to control the movement of the engaging portion of the block 3b. When the engaging portion moves with the mounting portion 30b to a first position, as shown in FIG. 13, the shorter arm 21b of the shackle 2b is prohibited from rotating about the longer arm 20b by the engaging portion of the block 3b. When the engaging portion moves with the mounting portion 30b to a second position, as shown in FIG. 16, the shorter arm 21b is allowed to rotate about the longer arm 20b.

Independent claim 35 recites, inter alia, a locking means having a stem and a core configured to control axial movement of the stem.

Applicant submits that Taylor fails to disclose at least the aforementioned feature of independent claim 35. Rather, Taylor discloses a "combination push button" padlock. Hence the amended Claim 35 is clearly not anticipated by Taylor.

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Claim 35 further stands rejected under 35 U.S.C. § 102(e) as being anticipated by Loughlin et al. ('324).

Since the main features of the amended claim 35 are fully supported by both the disclosure of the present application and

the '331 Provisional Application, claim 35 is placed in condition to be entitled to the benefit of the filing date of the '331 Provisional Application. Hence the '324 Loughlin Patent shall no longer be considered. Accordingly, favorable reconsideration and withdrawal of the rejection are respectfully requested.

**Claim Rejections- 35 U.S.C. § 103**

Claims 13 and 32 stand rejected under 35 U.S.C. § 103(a) as being obvious over Loughlin et al. ('324) in view of Lai. ('672). Additionally, claims 33 and 34 stand rejected under 35 U.S.C. § 103(a) as being obvious over Loughlin et al. ('324) in view of Lai. ('672) as applied to claim 13 above and further in view of Fleming et al ('866). In response, claims 13 and 34 have been amended and claims 32 and 34 have been canceled.

Referring to FIGS. 18-23 of the present application, claim 13 has now been amended to include a lock body 70, a shackle 71, a block 72 and a locking means 8. The shackle 71 has a longer arm 711 and a shorter arm 712 being rotatable about the longer arm 711. The block 72 includes a mounting portion 721 "rotatably" disposed inside the lock body 70 and an engaging portion 722 disposed outside the lock body 70. The locking means 8 is configured to control "rotation" of the mounting portion 721 of the block 72. In particular, the engaging portion 722 is "rotatable" in response to the "rotation" of the mounting portion

721 so as to be allowed or prohibited from rotating about said longer arm 711 of the shackle 71.

Since the main features of the amended claim 13 are fully supported by both the disclosure of the present invention and the '331 Provisional Application, at least the '324 Loughlin Patent shall no longer be considered since the priority date of the subject application is established. Accordingly, favorable reconsideration and withdrawal of the rejection are respectfully requested.

In the Office Action, the Taylor reference is not cited by the Examiner to challenge the patentability of the original claim 13. However, since the scope of claim 13 has been changed by this Amendment, Applicant would like to further provide facts indicating the patentability of the subject invention over the Taylor reference.

According to the amended claim 13, the block 72 of the subject invention is "rotatable" with respect to the lock body 70 to control movement the shackle 71. In contrast, as can be seen in FIGS. 1 and 3, the block 96 of Taylor is axially movable to engage with or disengage from the shorter arm of the shackle 14. In other words, when the block 96 exposed outside the lock body, the shackle 14 is confined in the block 96. When the block 96 is hidden from the lock body, the shackle 14 is released. Accordingly, it is understood that if the claimed rotatable button 72 is applied in

Taylor's padlock, the shackle 14 will be locked forever no matter how hard the button is being rotated. Hence the amended claim 13 is clearly not anticipated by Taylor nor be obvious over the cited prior arts. Therefore, the amended claim 13 is believed to have overcome Examiner's objections.

Claims 34 and 36 respectively depend upon the independent claim 13 and 35, which are believed to be allowable. Therefore, these claims are distinguishable over the applied prior art references for at least the same reasons noted above.

Moreover, as defined in Claims 34 (or 36), the engaging portion of the block 72 has a top defining a receptacle 723 and a side defining a gap 725 communicating with the receptacle 723. Through the gap 725, the rotatable block 72 can be used to control movement of the shackle 71. That is, when the engaging portion is in the second position, the shorter arm 712 is allowed to be disengaged from the engaging portion 722 via the gap so as to rotate about the longer arm 711. It should be noted that the longer arm 711 of the shackle 71 may further be modified to be able to move vertically, which is not disclosed in the '331 Provisional Application, the shorter arm 711 of the shackle 71 can be release through the receptacle 723.

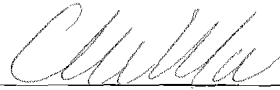
As stated above, Applicant submits that these features are not found or suggested in the cited prior arts. Hence Claim 34 and new Claim 36 are further patentable over the prior arts.

### Conclusion

For the foregoing reasons, Applicant respectfully traverses the rejections of the Examiner. It is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

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